

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

November 7, 2001

IN RE:

**COMPLAINT OF XO TENNESSEE, INC. AGAINST
BELLSOUTH TELECOMMUNICATIONS, INC.**

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**DOCKET NO.
01-00868**

ORDER APPOINTING A HEARING OFFICER

This matter came before the Tennessee Regulatory Authority (the "Authority") at a regularly scheduled Authority Conference held on October 23, 2001, for appointment of a Hearing Officer to render a decision on the merits of the *Complaint of XO Tennessee, Inc.* filed on October 9, 2001.

At the above-referenced Authority Conference, the Directors unanimously appointed the General Counsel or his designee to act as Hearing Officer in this matter to make findings of fact and conclusions of law, as necessary, and to render an initial decision on the merits of the Complaint. The Directors also instructed the Hearing Officer to attempt to resolve the Complaint within sixty (60) days of its filing and determine whether the Complaint should be consolidated with a similar complaint filed in Docket No. 01-00808. Lastly, the Directors ordered BellSouth to file its response to the Complaint by no later than October 25, 2001 at 2:00 p.m.

IT IS THEREFORE ORDERED THAT:

1. The General Counsel or his designee is appointed Hearing Officer in this matter to make findings of fact and conclusions of law, as necessary, and to render an initial decision on

the merits of the Complaint, pursuant to Tenn. Code Ann. §§ 4-5-301 and 65-2-111 and such other legal authority as may be provided by law.

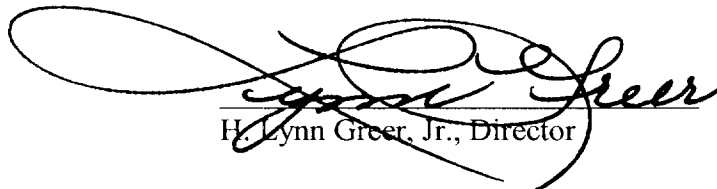
2. The Hearing Officer shall determine whether to consolidate this Complaint with Docket No. 01-00808.

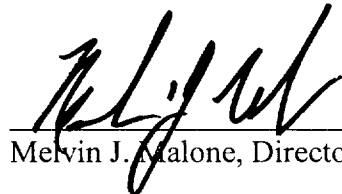
3. The Hearing Officer shall attempt to resolve the Complaint within sixty (60) days of the filing of the Complaint.

4. BellSouth shall file its response to the Complaint by no later than **October 25, 2001 at 2:00 p.m.**

5. Any party aggrieved with the Authority's decision in this matter may file a Petition for Reconsideration with the Authority within fifteen (15) days of the date of this Order.


Sara Kyle, Chairman


H. Lynn Greer, Jr., Director


Melvin J. Malone, Director

ATTEST:


K. David Waddell, Executive Secretary